

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

JIMMY BROOKS

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendants.

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**Case No.: 3:12-cv-00821
DISTRICT JUDGE SHARP
MAGISTRATE JUDGE GRIFFIN**

MOTION TO DISMISS

Defendant Wells Fargo Bank, N.A. moves to dismiss Plaintiff's Complaint for failure to state a claim upon which relief can be granted under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Defendant also relies on their brief in support of this motion, filed contemporaneously.

/s/ William A. Lewis

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 4th day of September 2012, a copy of the foregoing was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, in which case the document was electronically mailed to said party:

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